



CERTIFICATE OF MAILING

I hereby certify that on May 13, 2002, this paper (along with any paper referred to as being attached or enclosed) is being deposited with the United States Postal Service with sufficient postage in an envelope addressed to: Box Missing Parts, Commissioner for Patents, Washington, D.C. 20231.

37 C.F.R. § 1.8(a)  
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Office to Addressee"  
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Althea Barrett

DAC MP \$  
(S)  
PATENT

Applicant: Duchon et al.  
Serial No.: 10/076,895  
Filed: February 14, 2002  
Title: CATHETER FLUID CONTROL SYSTEM  
Group Art Unit: 3761  
Examiner: Unknown  
Docket No.: 11906-346

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MAY 14 2002  
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

TRANSMITTAL OF NOTICE TO FILE MISSING PARTS  
OF NONPROVISIONAL APPLICATION

Box Missing Parts  
Commissioner for Patents  
Washington, D.C. 20231

Dear Sir:

Enclosed for filing are the following:

1. Submission of Missing Parts of Nonprovisional Application;
2. Copy of Notice to File Missing Parts of Nonprovisional Application dated March 13, 2002;
3. Declaration for Patent Application and Power of Attorney;
4. Substitute Formal Drawings in compliance with 37 CFR 1.84;
5. Request for Correction of Small Entity Status to Large Entity Status;
6. Assignment;
7. Request for Filing Receipt Correction;
8. Copy of Filing Receipt;
9. Filing fee for Notice of Missing Parts: \$130.00;  
Deficiency payment owed under 37 C.F.R. §1.28(c): \$583.00; and

**Method of Payment of Fee:**

Attached is a check for \_\_\_\_\_.

Charge Account 50-1901 (\$713.00)

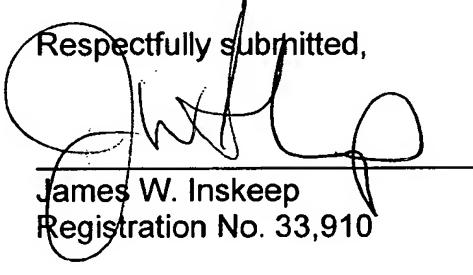
If any additional filing fees are due, please charge Account 50-1901.

**10. Return Postcard.**

Please acknowledge receipt of these materials by stamping the date on the enclosed, stamped self-addressed card.

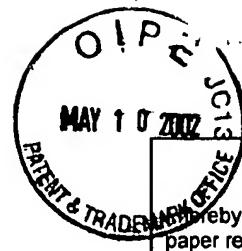
Dated: May 1, 2002

Respectfully submitted,

  
James W. Inskeep  
Registration No. 33,910

OPPENHEIMER WOLFF & DONNELLY LLP  
840 Newport Center Drive, Suite 700  
Newport Beach, CA 92660  
Telephone: 949.823.6000  
Facsimile: 949.823.6100

*Customer No.: 25,204*

#3  
PATENT

## CERTIFICATE OF MAILING

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Allie Barrett

Applicant: Duchon et al.  
Serial No.: 10/076,895  
Filed: February 14, 2002  
Title: CATHETER FLUID CONTROL  
SYSTEM  
Group Art Unit: 3761  
Examiner: Unknown  
Docket No.: 11906-346

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OFFICE OF PEGATION

Name of Assignee: ACIST Medical Systems, Inc.  
Address of Assignee: 7450 Flying Cloud Drive,  
Suite 150  
Eden Prairie, MN 55344

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

REQUEST FOR CORRECTION OF SMALL ENTITY STATUS  
TO LARGE ENTITY STATUS (37 C.F.R. § 1.28(c))

05/14/2002 GTEFFERA 00000116 501901 10076895

Commissioner for Patents  
Washington, D.C. 20231

01 FC:101 740.00 CH  
02 FC:102 84.00 CH  
03 FC:103 342.00 CH

Sir:

Applicant hereby notifies the Patent and Trademark Office that its status as a small entity was established, in good faith, in error when filing the above-referenced application. An itemization of the deficiency payment is as follows:

Type of Fee	Current Large Entity Fee Amount	Small Entity Fee Actually Paid	Date Fee Paid	Deficiency Amount Owed
Utility Filing Fee	\$740.00	\$370.00	02/14/2002	\$370.00
Total Claims (19) Fee	\$342.00	\$171.00	02/14/2002	\$171.00
Independent Claims (4) Fee	\$84.00	\$42.00	02/14/2002	\$42.00

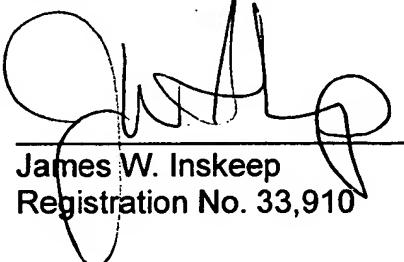
Adjustment date: 05/14/2002 GTEFFERA  
02/25/2002 EMAILED 00000116 501901 10076895  
01 FC:201 370.00 CR  
02 FC:202 84.00 CR  
03 FC:203 171.00 CR

Total Deficiency Payment Owed: \$583.00

COPY OF PAPERS  
ORIGINALLY FILED

The Commissioner is hereby authorized to charge the \$583.00 deficiency payment owed to Deposit Account No. 50-1901. The Commissioner is authorized to charge payment of any additional filing fees or credit any overpayment to Deposit Account No. 50-1901. A duplicate copy of this sheet is attached.

Respectfully submitted,



James W. Inskeep  
Registration No. 33,910

Dated: May 1, 2002

OPPENHEIMER WOLFF & DONNELLY LLP  
840 Newport Center Drive, Suite 700  
Newport Beach, CA 92660  
Telephone: (949) 823-6000/Facsimile: (949) 823-6100

*Customer No. 25,204*



PATENT

CERTIFICATE OF MAILING	
I hereby certify that on May 1, 2002, this paper (along with any paper referred to as being attached or enclosed) is being deposited with the United States Postal Service with sufficient postage in an envelope addressed to: Commissioner for Patents, Washington, D.C. 20231.	
37 C.F.R. § 1.8(a) <input checked="" type="checkbox"/> with sufficient postage as first class mail	37 C.F.R. § 1.10 <input type="checkbox"/> as "Express Mail Post Office to Addressee" Mailing Label No.
 Atte Barrett	

Applicant: Duchon et al.  
Serial No.: 10/076,895  
Filed: February 14, 2002  
Title: CATHETER FLUID CONTROL SYSTEM  
Group Art Unit: 3761  
Examiner: Unknown  
Docket No.: 11906-346

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
SUBMISSION OF MISSING PARTS OF NONPROVISIONAL APPLICATION

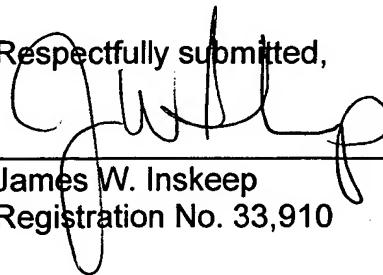
Box Missing Parts  
Commissioner for Patents  
Washington, D.C. 20231

Sir:

In response to the Notice to File Missing Parts of Nonprovisional Application dated March 13, 2002 (copy enclosed), applicant submits the enclosed (1) Declaration for Patent Application and Power of Attorney, and (2) Substitute Formal Drawings in compliance with 37 CFR 1.84.

The Commissioner is hereby authorized to charge the \$130 surcharge to Deposit Account No. 50-1901. The Commissioner is authorized to charge payment of any additional filing fees or credit any overpayment to Deposit Account No. 50-1901. A duplicate copy of this sheet is attached.

Respectfully submitted,

  
James W. Inskeep  
Registration No. 33,910

OPPENHEIMER WOLFF & DONNELLY LLP  
840 Newport Center Drive, Suite 700  
Newport Beach, California 92660  
Telephone: 949.823.6000  
Facsimile: 949.823.6100

Customer No.: 25,204

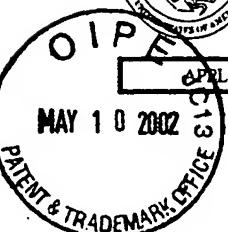
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ORIGINALLY FILED



## UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
 UNITED STATES PATENT AND TRADEMARK OFFICE  
 WASHINGTON, D.C. 20231  
[www.uspto.gov](http://www.uspto.gov)

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
MAY 10 2002 10/076,895	02/14/2002	Douglas J. Duchon	11906/346



James W. Inskeep  
 Oppenheimer Wolff & Donnelly LLP  
 Suite 700  
 840 Newport Center Dr.  
 Newport Beach, CA 92660

CONFIRMATION NO. 3623

## FORMALITIES LETTER



\*OC000000007628854\*

Date Mailed: 03/13/2002

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted*

RECEIVED  
MAY 14 2002  
OFFICE OF PETITIONS

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.
- **The balance due by applicant is \$ 65.**

The application is informal since it does not comply with the regulations for the reason(s) indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Substitute drawings in compliance with 37 CFR 1.84 because:
  - drawing sheets do not have the appropriate margin(s) (see 37 CFR 1.84(g)). Each sheet must include a top margin of at least 2.5 cm. (1 inch), a left side margin of at least 2.5 cm. (1 inch), a right side margin of at least 1.5 cm. (5/8 inch), and a bottom margin of at least 1.0 cm. (3/8 inch);
  - drawings have a line quality that is too light to be reproduced (weight of all lines and letters must be heavy enough to permit adequate reproduction) or text that is illegible (reference characters, sheet numbers, and view numbers must be plain and legible) see 37 CFR 1.84(l) and (p)(1));

*A copy of this notice **MUST** be returned with the reply.*

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## **Customer Service Center**

Initial Patent Examination Division (703) 308-1202

**PART 2 - COPY TO BE RETURNED WITH RESPONSE**

三國志



JOINT INVENTORS

**DECLARATION FOR PATENT APPLICATION AND POWER OF ATTORNEY**

As the below named inventors, we hereby declare that:

Our residence, post office address and citizenship are as stated below next to our names.

We believe we are the original, first and joint inventors of the subject matter which is claimed and for which a patent is sought on the invention entitled: CATHETER FLUID CONTROL SYSTEM the specification of which is attached hereto.

We hereby state that we have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

We acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, Sec. 1.56(a).

**POWER OF ATTORNEY:** We hereby appoint the following attorneys to prosecute this application and transact all business in the Patent and Trademark Office connected therewith:

OPPENHEIMER WOLFF & DONNELLY LLP

Berman, C., Reg. 29,249	Guernsey, L.B., Reg. 40,008	Larson, D.N., Reg. 29,401
Bobys, M.P., Reg. 45,267	Guillot, R.O., Reg. 28,852	Lazaris, S.J., Reg. 45,981
Bosworth, M.K., Reg. 28,186	Hamrick, C.A.S., Reg. 22,586	Lervick, C.J., Reg. 35,244
Bovasso, L.J., Reg. 24,075	Harris, M.D., Reg. 26,690	Lieske, S.C. Reg. 47,749
Boyce, J., Reg. 40,920	Hayden, R.D., Reg. 42,645	MacLean, K.A., Reg. 31,118
Brown, M.E., Reg. 28,590	Heyninck, M., Reg. 44,763	McKinley, D., Reg. 42,867
Burton, D.L., Reg. 45,323	Hickman, P.L., Reg. 28,516	McRoss, L., Reg. 40,427
Canter, B., Reg. 34,792	Hilberg, C.R., Reg. P-48,740	Morton, C.A., Reg. 44,954
Chiang, M.H., Reg. 46,618	Howell, S.M., Reg. 45,929	Nader, R., Reg. P47,260
Chou, C., Reg. 41,672	Hughes, M.J., Reg. 29,077	Roberts, R.E., Reg. 38,597
Coleman, B.R., Reg. 39,145	Inskeep, J.W., Reg. 33,910	Rose, A. C., Reg. 17,047
Cullman, L.C., Reg. 39,645	Jastram, H.D., Reg. 19,777	Rosenberg, C., Reg. 31,464
Darrow, C., Reg. 30,166	Kelly, S.S., Reg. 43,449	Sherry, L., Reg. 43,918
Diepenbrock III, A.B., Reg. 39,960	Kennedy, B., Reg. 33,407	Smith, G.P., Reg. 20,142
Edwards, W.G., Reg. 44,426	Kudla, J.P., Reg. P47,724	Wood, G.B., Reg. 28,133
Farber, M., Reg. 32,612		Wrigley, Barbara A., Reg. 34,950

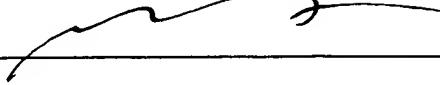
Send correspondence to: James W. Inskeep, Oppenheimer Wolff & Donnelly LLP, 840 Newport Center Drive, Suite 700, Newport Beach, California 92660. Direct telephone calls to James W. Inskeep at (949) 823-6031.

I hereby claim the benefit under 35 U.S.C. 120 of any United States applications(s), or 365(c) of any PCT international application designating the United States of America, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior

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Full name of second inventor: **Robert F. Wilson**

Inventor's Signature



2-26-02

Date

Residence: Roseville, Minnesota

Citizenship: United States

Post Office Address: 3107 W. Owasso Boulevard, Roseville, Minnesota 55113

2025 RELEASE UNDER E.O. 14176

United States or PCT International application in the manner provided by the first paragraph of 35 U.S.C. 112, I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application.

U.S. Parent Application or PCT Parent Number	Parent Filing Date (MM/DD/YYYY)	Parent Patent Number <i>(if applicable)</i>
60/268,568	02/14/2001	
60/269,112	02/15/2001	

I hereby claim foreign priority benefits under Title 35, United States Code, § 119 of any foreign application(s) for patent or inventor's certificate or of any PCT international application(s) designating at least one country other than the United States of America listed below and have also identified below any foreign application(s) for patent or inventor's certificate or any PCT international application(s) designating at least one country other than the United States of America filed by me on the same subject matter having a filing date before that of the application(s) of which priority is claimed.

COUNTRY	SERIAL NO.	FILING DATE	TITLE

We declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of first inventor: Douglas J. Duchon

Inventor's Signature

2/22/02

Date

Residence: Chanhassen, Minnesota

Citizenship: United States

Post Office Address: 9630 Foxford Road, Chanhassen, Minnesota 55317

## ASSIGNMENT

**COPY**

WHEREAS, We, Douglas Duchon of 9630 Foxford Road, Chanhassen, MN 55317, and Robert F. Wilson of 3107 W. Owasso Blvd., Roseville, MN 55113, the ASSIGNORS herein, have invented and own a certain invention entitled **Catheter Fluid Control System**, for which an application for a United States Patent Serial No.10/076,895 was filed on February 14, 2002; and whereas, we are now the sole owners of said patent; and

WHEREAS, ACIST Medical Systems, Inc., a corporation organized and existing under the laws of the State of Minnesota, having a place of business at 7450 Flying Cloud Drive, Suite 150, Eden Prairie, Minnesota 55344 US, (hereinafter referred to as "ASSIGNEE") desires to acquire the entire right, title and interest in and to said inventions, applications and Letters Patent to be granted and issued thereon;

NOW, THEREFORE, for and in consideration of the sum of One Dollar (\$1.00) by the ASSIGNEE to us paid, and other valuable consideration, the receipt and legal sufficiency all of which is hereby acknowledged, we, the said ASSIGNORS, have sold and do hereby sell, assign, transfer and set over unto said ASSIGNEE, its successors and assigns, the entire right, title and interest in and to said inventions and all improvements thereon, in and to said application for Letters Patent thereon, in and to applications pertaining to or based upon said inventions and applications, including divisional and continuing applications and continuations-in-part, and in and to any and all Letters Patent which may be granted and issued on said inventions and applications, or any of them, not only for, to and in the United States of America, its territories and possessions, but for, to and in all countries foreign thereto, together with and including all priority rights based upon any and all applications in the United States of America covered by this Assignment.

And for the above-named considerations, we do hereby agree that we will, at the request of said ASSIGNEE, execute any and all applications for Letters Patent for said inventions and any and all other papers and documents and do all other and further lawful acts that said ASSIGNEE may deem necessary or desirable to obtain Letters Patent on said inventions, to secure the grant of such Letters Patent and to perfect and vest in the ASSIGNEE the entire right, title and interest in the inventions, applications and Letters Patent.

And for the above-named considerations, we do hereby authorize and empower the ASSIGNEE, its successors and assigns, to apply for and obtain, in its or their own names, Letters Patent for the said inventions before competent International Authorities and in any and all countries foreign to the United States in which applications for Letters Patent can be so made or Letters Patent so obtained.

In witness whereof, we have hereunto set our hands and affixed our seals.

Date: 22 FEB 2002

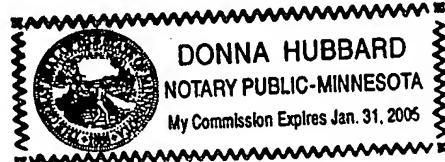
Douglas J. Duchon

STATE OF MINNESOTA)

COUNTY OF Hennepin)<sup>ss.</sup>

On this 20<sup>th</sup> day of February, 2002, before me personally appeared Douglas J. Duchon, to me known to be the person described in and who executed the foregoing instrument and acknowledged that he executed the same as his free act and deed.

Donna Hubbard  
Notary Public



Date: 2-26-82

Robert F. Wilson

STATE OF MINNESOTA)

COUNTY OF Hennepin) ss.)

On this 26<sup>th</sup> day of February, 2002, before me personally appeared Robert F. Wilson, to me known to be the person described in and who executed the foregoing instrument and acknowledged that he executed the same as his free act and deed.

Susan b Mueller

Notary Public

